UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

ASHLEY OSBORNE, **Plaintiff,** **v.** **MIDLAND FUNDING, LLC and FENTON & McGARVEY LAW FIRM, P.S.C.,** **Defendants.**	))))))))))	**No. 1:17-cv-00101** **REEVES/LEE**

ORDER

This matter having recently come before this Court, and the Court having determined that a motion pursuant to Fed. R. Civ. P. 12(b) is discouraged if the defect can be cured by filing an amended pleading, it is therefore **ORDERED** that the parties must meet and confer prior to the filing of a motion to dismiss to determine whether it can be avoided. Consequently, motions to dismiss must be accompanied by a notice of certification of conferral indicating that the parties have conferred to determine whether an amendment could cure a deficient pleading, and have been unable to agree that the pleading is curable by a permissible amendment. In addition, parties shall endeavor not to oppose motions to amend that are filed within the time set forth in the Scheduling Order. Motions to dismiss that do not contain the required certification are subject to be stricken on the Court's motion.

IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE